



**Economic Impact Analysis  
Virginia Department of Planning and Budget**

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**18 VAC 112-20 – Regulations Governing the Practice of Physical Therapy**  
**Department of Health Professions**  
January 12, 2010

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### **Summary of the Proposed Amendments to Regulation**

The Board of Physical Therapy (Board) proposes to amend its Regulations Governing the Practice of Physical Therapy. Specifically, the Board proposes to:

- Allow graduates of non-approved education programs to complete their required traineeship hours on a part time basis so long as they are completed within a two-year period,
- Reduce the traineeship hours that physical therapy assistants must complete from 480 to 320,
- Allow individuals who are required to complete traineeships as a condition of either licensure by endorsement or reinstatement of licensure to successfully complete the Practice Review Tool (PRT) in lieu of 160 hours of their traineeship,
- Allow licensees to complete the PRT for Type I continuing education credit,
- Increase the proportion of Type I continuing education hours to total continuing education hours (from 15 out of 30 required hours to 20 out of 30 required hours) that physical therapy licensees must complete in order to renew their licenses,
- Increase the proportion of Type I continuing education hours to total continuing education hours (from 10 out of 30 required hours to 15 out of 30 required hours) that physical therapy assistant licensees must complete in order to renew their licenses,
- Remove the requirement that Type I training be face-to-face and

- Limit the number of supervisors per trainee to two, require trainees to wear identification that has their proper designation and require supervisors to countersign patient documentation.

## **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

## **Estimated Economic Impact**

Current regulations require graduates of non-approved schools who want to be licensed in the Commonwealth to complete a full time, 1,000 hour traineeship. The Board proposes to amend this requirement by no longer requiring that these individuals complete this traineeship by working full time hours. To ensure that traineeships are still completed in a timely fashion, the Board also proposes to require that this traineeship be completed within two years with the provision that the Board may extend this time period for “circumstances beyond the control of the applicant, such as temporary disability or mandatory military service”. Since affected individuals will still be able to complete their traineeships on a full-time basis if they so choose, and trainee programs are free to only offer full-time positions if they choose, no entity is likely to incur costs on account of these proposed changes. Trainees are very likely to benefit from the added flexibility, to work at another job or take care of family obligations, that these changes will give them. Trainee programs may benefit from being able to attract more trainees by accommodating their other life obligations.

Currently both physical therapists and physical therapy assistants who are applying for licensure by endorsement, but who have not actively practiced at least 320 hours in the four years immediately preceding application, must complete a 480 hour traineeship. The Board proposes to reduce the number of hours of traineeship that physical therapy assistants (PTAs) must complete to 320 hours because PTAs have shorter education programs (so shorter traineeships are likely appropriate) and work directly under the supervision of physical therapists. This proposed change is likely to benefit PTAs who are applying for licensure by endorsement because they will be able to qualify for licensure more quickly than they currently do.

The Board also proposes to allow physical therapy license applicants that have to complete a 480 hour traineeship, because they are applying for licensure by endorsement or are

licensees seeking to regain active licensure (because they currently have an inactive license or their license needs to be reinstated), the option of successfully completing the PRT and a 320 hour traineeship instead. Additionally, the Board proposes to allow completion of the PRT to count as 10 hours of Type I continuing education and successful completion of the PRT to count as 20 hours of Type I continuing education. The Board believes that the PRT accurately measures an applicant's current knowledge of physical therapy and can, therefore, be safely substituted for hours of traineeship. Physical therapists who take the PRT will pay a \$250 fee and will incur additional costs for the time they spend completing it; since in all cases completion of the PRT is just an additional option available to these individuals, no one is likely to choose to take it unless the benefits of doing so outweigh the costs.

Current regulations require physical therapists to complete 15 hours of face-to-face Type I continuing education, and 30 hours of total continuing education, biennially as a condition of license renewal. Physical therapy assistants must currently complete 10 hours of face-to-face Type I, and a total of 30 hours, continuing education. The Board proposes to increase the number of hours of Type I continuing education, and eliminate the requirement that Type I training be face-to-face, while keeping the total hours required the same. Removing the requirement that Type I classes be face-to-face will benefit licensees by allowing them to take online and self-study Type I classes if these are less expensive options. Because the proposed elimination of the face-to-face requirement will likely make the cost of Type I classes approximately the same as the cost of other qualifying training, the Board believes increasing the proportion of Type I training required will provide a benefit for physical therapists and the public.

Current regulations require that traineeships be completed under the direct supervision of a licensed physical therapist but is otherwise silent on the supervisor/trainee relationship. The Board is concerned, however that some trainees have supervisors numerous enough that no one is taking responsibility for their work or the progress of their learning. Consequently, the Board now proposes to require that trainees have not more than two supervisors and that these supervisors countersign patient documentation for services provided by their trainees. These proposed changes may increase costs for physical therapy clinical education facilities that will now have to coordinate schedules so that trainees work the same hours as one or the other of

their assigned supervisors. These changes will, however, provide the benefit of allowing greater enforcement of the Board's intent that traineeships be effectively supervised.

### **Businesses and Entities Affected**

The Department of Health Professions (DHP) reports that the Board currently licenses 5,552 physical therapists and 2,144 physical therapy assistants. All of these individuals, plus any individuals who may choose to be licensed in the future, will be affected by these proposed regulations.

### **Localities Particularly Affected**

No locality will be particularly affected by this proposed regulatory action.

### **Projected Impact on Employment**

This regulatory action will likely have no impact on employment in the Commonwealth.

### **Effects on the Use and Value of Private Property**

This regulatory action will likely have no effect on the use or value of private property in the Commonwealth.

### **Small Businesses: Costs and Other Effects**

Small businesses that have physical therapy trainees may accrue additional costs on account of the new restriction on the number of supervisors that a trainee may have.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

There are likely no alternate methods that The Board could have employed in writing the requirement for trainee supervision that would have both accomplished the Board's goal (of ensuring that supervisors are aware of trainee activity and progress) and further minimized any adverse impact on small businesses.

### **Real Estate Development Costs**

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

## Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.